G. R. S. App. F. IX-4]

1942-3. War File No. 155-42

Previous References. (War) Serial Nos. 1 & 2

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two only

Part B for January 1943.

SUBJECT.

Rule 45 B of the Defence of India Rules

Krishnan
25.1.43.

2010-W

Rule 45B of the Defence of India Rules.

Sl. 1

From

To Secy to Govt of Mysore Revenue

JAN 12 1943

No 61/2

F. 69-42(2) W dt 7th Jan. 43 from the Govt of India Commerce Dept letter dt 11th Dec. 42 in the matter of interpretation of Rule 45B of the Defence of India Rules.

45B Restriction on publication of information relating to Public undertakings

Rule 45B (made since rule 81(3)) applies to (1) all electricity supply undertakings (2) all inland Navigation water transport, port, dock, harbour or pier undertakings whether or not carried on by Govt or a local authority.

Govt of Mysore are requested to issue orders that no information relating to the undertakings mentioned above should be published without the previous permission of the Secretary to the Govt of Mysore in the Electrical Department.

(RS) 81/43

3330

ELECTRICAL SECRETARIAT
BANGALORE
Reg No 1522
Date 11-1-43

666

Law Dept (Mysore) ✱

Dy Secy to Govt

11/1

for Secy to Govt

11/1/43.

The enclosure is perused by Secretary to Govt and the file returned to War Section.

Supdt War Sec (WE)

666
12/1/43

This does not concern C.P.S as it is a Govt Dept. But please note that

(1) the Abstract Report of accounts should not be published & that the publication of Elec: Dept wkgs in the Monthly Statistics by C/C

(2) Industrial Statistics & the Quarterly

(3) Information Bulletin by the C-O. should be stopped. Please inform them & the G.S. C.P.S. & P.S. and furnish right

D.1522.

6/12
1-12

awaiting W. Please inform Compt. United States
Pass
12/1

Ks
12/1

This may perhaps be incorporated
the draft for necessary action.
Sgd: We may address accordingly
Sg
12/1

Subd with a letter to Gen Sec Ch S & Gp S.
If approved draft will be subd to Ct Trial Secy
for perusal. After issue Chas will be sent to
Ct Publicity Office also for info and release

(RS)
13/1

Sir L
13/1

Sl.2. Received W 3079—80 of 15/1/43
from G.S.C.P.'s & of S.J.P.S.

Noted and returned, retaining a copy of
the above letter.

Supplt. War Section
(WC)

Cole
18/1/43

B

W 155-42-1 2090

THE OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE,

Dated Bangalore, the 7th Jany. 1943.

No.F.69-42(2)/W.

A copy of the undermentioned paper is forwarded to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, Bangalore, for information.

By order, etc.,

for SECRETARY TO THE RESIDENT

Letter from the Government of India /Commerce Department_7, to all Provincial Governments, etc. No.24 (11)-Tr.(C.L.)/42, dated the 11th December 1942

VN 7

Copy of letter No.24(11)-Tr.(C.L.)/42, dated the 11th December 1942, from the Government of India, Department of Commerce, to all Provincial Governments, etc.,

----:O:----

RULE 45-B OF THE DEFENCE OF INDIA RULES.

I am directed to say that many enquiries have been received by the Government of India in the matter of interpretation of rule 45-B of the Defence of India Rules published in the Defence Department Notification No.1564-OR/42, dated the 7th September 1942.

2. The views held by the Government of India are stated below for the information of the Provincial Governments and for communication to the Provincial authorities concerned: -

(a) Effect of rule 45-B, read with section 3 of the Defence of India Act, is that the statutory obligations imposed on the undertakings concerned by sections 131 and 131A and other analogous provisions of the Indian Companies Act, 1913, so far as they involve the publication of accounts or reports or any documents relating to the operations thereof are protanto superseded by the prohibition imposed by the said rule.

(b) The rule prohibits the publication in any form of the relevant accounts or report of the public utility undertakings in question and consequently publication through circulation or by laying before a meeting of the shareholders or by answering questions put by the shareholders.

(c) There is no objection under the present rule to the reports of Directors on accounts of companies concerned being adopted at the meeting without circulation of papers and such discussions as would not conflict with the rule are also permissible. Any shareholder wishing to inspect the accounts, reports or documents is entitled to do so at the office of the undertaking in accordance with the proviso to sub-rule (1) of the rule but such shareholder is not entitled to take notes or make copies of the accounts etc., so inspected.

I am to add that if the present prohibition makes it difficult for any company to comply with any obligation on its part to get the report and accounts adopted by the shareholders at its annual meeting, the matter may be brought to the notice of the Government of India for further necessary action.

----:O:----

VN

Appendix F. G.—1]

SUBJECT.....

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Section W
File No. 155-42
Serial No. 2

Diary No. of letter replied to.....

No. 3079-80/W dated 15-1-43

To The Dy S.C.S
G.P.S

General and Revenue Secretariat

( )

the *194* .

Date of issue..... 15-1-43

Signed by..... Mr. S.K.V.

Sir. I am directed to invite reference to Rule 45B of the Defence of India Rules regarding the restriction or prohibition of information relating to Public Electricity undertakings. This rule applies to (1) all electricity supply undertakings (2) all inland navigation, water transport undertakings whether or not carried on by Govt or a local authority. I am to request you kindly to note that the Annual report and accounts of the Electricity Dept should not

List of enclosures.....

Copied by.....

Examined by.....

WD 04161—GPB—60,000—24-10-41

to published. The publication of
Elec Supply information in the Monthly
Industrial Statistics & of CC and the
monthly information bulletin & the
P.O should be stopped as ~~Each~~ Chart
you need not furnish information
to any one in the above matter.

I Sharma

Memo No 3081-82/WD 15-1'43 dt 18/1

for Chief Engr & Secy

Copy to Director of Industries
" Controller
" Exec. Engr.
" ~~Statistician~~ Statistical Officer
" ~~P.O.~~

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 3079-80/W

General and Revenue Secretariat,

Bangalore, Dated 13th January 1943.

15

FROM

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

TO

(1) The General Superintendent,
Cauvery Power Scheme, Bangalore.

(2) The General Superintendent,
Jog Power Scheme, Bangalore.

SIR,

I am directed to invite reference to Rule 45 .B. of the Defence of India Rules regarding the restriction of publication of information relating to Public Utility undertakings. This rule applies to (i) all electricity supply undertakings (2) all inland navigation, water transport etc., whether or not carried on by Government or a local authority. I am to request you kindly to note that the Administration Report and accounts of the Electrical Department should not be published. The publication of Electrical Department information in the Monthly Industrial Statistics by the Director of Industries & Commerce and the Monthly information bulletin by the Publicity Office should be stopped and that you need not furnish information to any one in the above matter.

I have the honour to be
Sir,
Your most obedient servant,

(Sd) M.G. Mehkri,
Chief Secretary to Government.

Memo No 3081-82/W d 15.1.43
Copy to Dr of I & C
Comptroller
Electrical Secty.
Publicity Office

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 3079-80/W

General and Revenue Secretariat,

Bangalore, Dated ..... 13th January 1943.

15

FROM

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

To

(1) The General Superintendent,
Cauvery Power Scheme, Bangalore.

(2) The General Superintendent,
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I have the honour to be
Sir,
Your most obedient servant,

(Sd) M.G. Mehkri,
Chief Secretary to Government.